

P-492/EM-89-130 GRANTING INTERIM AUTHORITY TO PROVIDE ALTERNATIVE
OPERATOR SERVICES SUBJECT TO APPROVAL OF TARIFF FILING

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Barbara Beerhalter	Chair
Cynthia A. Kitlinski	Commissioner
Norma McKanna	Commissioner
Robert J. O'Keefe	Commissioner
Darrel L. Peterson	Commissioner

In the Matter of Applications Filed by Cable & Wireless Communications, Inc. for Authority to Provide Alternative Operator Services and for Interim Authority to Provide the Same Service

ISSUE DATE: April 18, 1989

DOCKET NO. P-492/EM-89-130

ORDER GRANTING INTERIM
AUTHORITY TO PROVIDE
ALTERNATIVE OPERATOR SERVICES
SUBJECT TO APPROVAL OF TARIFF
FILING

PROCEDURAL HISTORY

On March 3, 1989 Cable & Wireless Communications, Inc. (the Company) filed two applications for certificates of authority to provide alternative operator services to pay telephone customers within the State of Minnesota. One application was for interim operating authority pending completion of the Commission's ongoing investigation of alternative operator services in docket number P-999/CI-88-917. The other was for permanent authority.

The Department of Public Service (the Department) examined both filings. The Department recommended deferring consideration of the application for permanent authority until completion of the investigatory proceeding. The Department recommended granting the application for interim authority, upon approval of a tariff filing adequately addressing the public safety and consumer protection concerns raised in earlier Commission Orders.

The matter came before the Commission on April 4, 1989.

FINDINGS AND CONCLUSIONS

The Commission agrees with the Department that it is appropriate to grant the Company the interim authority it seeks. The Company is an experienced provider of alternative operator services and is currently providing those services in 19 states. The Company has been authorized to provide long

distance services in this state since 1988. During this time the Commission has received no serious complaints about its service or its business practices.

The Company's management and financial condition are stable and demonstrate an ability to provide reliable service and to respond promptly to customer complaints. The Company's technical facilities are capable of providing safe, high quality service.

The Company has responded in a prompt and forthright manner to the public safety and consumer protection concerns raised in the Commission's earlier Orders on alternative operator services. The Company appears to be willing and able to conduct its business to meet those concerns and to protect the interests which underlie them. Those concerns are as follows: customer access to the provider of operator services, adequate notice to customers regarding price and alternative service providers, quality of service, procedures for handling emergency calls, billing and collection procedures, procedures for handling customer complaints and refunds, and compliance with statutory requirements regarding maintaining an office in this state.

Finally, the Company has stated its willingness to limit its rates to those already approved by the Commission for operator services and to prohibit pay telephone owners with whom it contracts from imposing a surcharge on their customers' use of operator services. This meets concerns about the possibility of exploitative pricing.

The Commission will issue a certificate of interim authority upon receipt of a tariff filing incorporating the provisions discussed above. Consideration of the Company's request for permanent operating authority will be deferred until completion of the generic investigation of alternative operator services in docket number P-999/CI-88-917.

ORDER

1. Cable & Wireless Communications, Inc. is granted authority to provide operator services to pay telephone customers while contested case proceedings in docket number P-999/CI-88-917 are being conducted, subject to meeting the following conditions within 30 days of the date of this Order:
 - a. Prior Commission approval of a tariff filing adequately addressing the public safety and consumer protection concerns discussed above;

- b. Prior Commission approval of a tariff filing incorporating the Company's stated intention of limiting its rates to those already approved by the Commission for operator services, i.e., AT&T's operator services rates;
 - c. Prior Commission approval of form contracts with pay telephone owners incorporating terms designed to ensure compliance with the terms of this Order.
2. The Department of Public Service shall monitor the provision of operator services by Cable & Wireless Communications, Inc. and shall promptly report to the Commission any violation of the terms of this Order.
 3. This grant of interim authority may be revoked at any time upon a Commission finding that the Company has violated any of the terms of this Order.
 4. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Mary Ellen Hennen
Executive Secretary

(S E A L)